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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 JOE ROBERTS,

8 Plaintiff,

9 v.

10 BEVERLY R. HALL,

11 Defendant.

No. 2:16-CV-0393-TOR

ORDER GRANTING DEFAULT
JUDGMENT

12 BEFORE THE COURT is Plaintiff's Notice, Motion, and Affidavit for
13 Entry of Default Judgment (ECF No. 15). This matter was submitted for
14 consideration without oral argument. The Court has reviewed the record and files
15 herein, and is fully informed.

16 **DISCUSSION**

17 Plaintiff requests the Court enter a default judgment against Defendant
18 Beverly Hall, having already successfully moved the Court for entry of default
19 against Defendant. ECF No. 15 at 1-2. Plaintiff does not seek to recover
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1 prejudgment interest in the matter, alleviating a concern raised by the Court in its
2 previous Order (ECF No. 12 at 3, n.3). ECF No. 15 at 2.

3 Plaintiff seeks judgment for the amount loaned, \$520,434.05 along with
4 \$6,500.00 representing the equipment furnished, plus, \$400.00 for the filing fee,
5 \$355.00 service of process fees, and \$44.00 for Service Members Civil Relief
6 search fee. The amount sought is for a sum certain and is fully supported by the
7 verified complaint and affidavit of counsel on file herein. ECF Nos. 15, 1.

8 Plaintiff moves for default judgment against Beverly R. Hall for the amount plead
9 because she was served with the summons and complaint and has failed to appear
10 or defend. ECF No. 15. Under Federal Rule of Civil Procedure 55, obtaining a
11 default judgment is a two-step process: (1) entry of default and (2) entry of default
12 judgment. A party must first file a motion for entry of default, obtain a Clerk's
13 Order of Default, and then file a separate motion for default judgment. *See* Local
14 Rule 55.1. The Clerk's Order of Default was entered May 12, 2017. *See* ECF
15 Nos. 12, 13.

16 Then, to obtain a default judgment, the moving party must set forth by
17 declaration or affidavit (A) whether the party against whom judgment is sought is
18 an infant or an incompetent person and, if so, whether that person is represented by
19 a general guardian, conservator, or other like fiduciary; and (B) attest that the
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1 Servicemembers Civil Relief Act, 50 U.S.C. App. §§ 501-597b, does not apply.

2 LR 55.1(b)(1). This has also been accomplished. ECF No. 15.

3 All of the prerequisites for entry of default judgment have been satisfied.

4 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 5 1. Judgment is awarded to Plaintiff Joe Roberts against Beverly R. Hall in the
6 amount of \$526,934.05, plus costs in the amount of \$799.00.
- 7 2. The Clerk of Court shall enter Judgment accordingly, noting the applicable
8 statutory interest rate, 2.10 % per annum pursuant to 28 U.S.C. § 1961.

9 The District Court Executive is directed to enter this Order, furnish copies to
10 counsel, and **CLOSE** the file.

11 **DATED** April 19, 2018.



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Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge